

of the present constitution. The committee on revision can fill the blank.

Mr. DUVAL demanded the yeas and nays on the adoption of the section; but they were not ordered.

The question being taken, the section was adopted.

The PRESIDENT. There are two other amendments outstanding. It will be necessary to reconsider in order to put them in.

On motion of Mr. EDELEN,

The convention adjourned.

## SEVENTY-FIFTH DAY.

WEDNESDAY, August 17, 1864.

The convention met at 10 o'clock, A. M. Prayer by the Rev. Mr. McNemar.

The roll was called, and the following members answered to their names:

Messrs. Goldsborough, President; Abbott Annan, Audun, Baker, Belt, Berry, of Baltimore county, Billingsley, Blackiston, Bond, Brown, Carter, Chambers, Crawford, Cunningham, Cushing, Dail, Daniel, Davis, of Charles, Davis, of Washington, Dellinger, Dent, Duval, Earle, Ecker, Edelen, Galloway, Greene, Harwood, Hodson, Hopkins, Hopper, Jones, of Cecil, Jones, of Somerset, Keefer, Kennard, King, Lansdale, Lee, Marbury, Markey, Mayhugh, McComas, Mitchell, Miller, Morgan, Mullikin, Murray, Negley, Nyman, Parker, Parran, Peter, Pugh, Purnell, Ridgely, Robinnette, Russell, Sands, Schley, Schlosser, Smith, of Carroll, Smith, of Dorchester, Smith, of Worcester, Stirling, Stockbridge, Swope, Sykes, Thomas, Thruston, Todd, Turner, Wickard, Wooden—74.

The proceedings of yesterday were read and approved.

On motion of Mr. WOODEN,

It was ordered to be entered on the journal that John Barron, of Baltimore city, is detained from his seat by the illness of a member of his family.

### JUDICIARY DEPARTMENT.

Mr. STOCKBRIDGE submitted the following order:

*Ordered*, That when the convention enters upon the consideration of the judiciary department, it will digest a system by which the judges shall be elected by the people; and another system by which they shall be appointed by the executive, and that when the constitution is submitted to the people for approval or rejection, it shall be so submitted that the people may select between the two systems so prepared.

On motion of Mr. RIDGELY,

The consideration of the order was informally passed over.

Mr. MORGAN gave notice that at the proper time he would submit the following amend-

ment to the report of the committee on the judiciary department:

Strike out section 38 and insert the following:

"Sec. 38. There shall be elected in each county and in the city of Baltimore, every fourth year, two persons for the office of sheriff for each county, and two for the said city, the one of whom having the highest number of votes of the qualified voters of said county or city, or if both have an equal number, either of them, at the discretion of the governor to be commissioned by the governor for said office, and having served for four years, such persons shall be ineligible for the four years next succeeding; bond with security, to be taken every year, and no sheriff shall be qualified to act before the same shall be given. In case of death, refusal, disqualification or removal out of the county, before the expiration of the said four years, the other person chosen as aforesaid, shall be commissioned by the governor to execute the said office for the residue of the said four years, the person giving bond with security as aforesaid. No person shall be eligible to the office of sheriff but a resident of such county or city respectively, who shall have been a citizen of this State at least five years preceding his election, and above the age of twenty-five years. The two candidates, properly qualified, having the highest number of legal ballots, shall be declared duly elected for the office of sheriff for such county or city, and returned to the governor, with a certificate of the number of ballots for each of them."

### PRIMARY MEETINGS.

The convention then proceeded to the consideration of the report of the committee on the elective franchise, which had been read by sections and amended.

Mr. STOCKBRIDGE. I read for information the other day, and to be entered upon the journal, an amendment which at the proper time I intended to move as an addition to the 5th section of this article. But the previous question having been sustained last night, upon that section, my amendment not having been offered was excluded. I will therefore move to reconsider the third section and offer an amendment to that; and in order that the convention before voting upon the question of reconsideration may understand precisely the purport of what I propose to offer I will say a word in explanation.

The third section provides a penalty against any bribe, present, reward or promise, to interfere with voting, and is a guaranty for the purity of elections so far as it goes. It is a fact, although not as yet recognized by law at all, that there is something as much a part of our elective system in this State and throughout the country as the election itself. I refer to the nomination in the primary